



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,286	07/18/2003	Ernie F. Brickell	042390.P14058	4599
45209	7590	01/24/2008		
INTEL/BLAKELY 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040			EXAMINER TO, BAOTRAN N	
			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 01/24/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.		Applicant(s)	
	10/622,286		BRICKELL, ERNIE F.	
	Examiner		Art Unit	
	Bao tran N. To		2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 11 and 26-35 is/are pending in the application.
- 4a) Of the above claim(s) 7-10 and 12-25 (Canceled) ~~is/are withdrawn from consideration.~~
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 11 and 26-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/19/2007 has been entered.

This Office action is responsive to the Applicant's Amendment filed 10/19/2007.

Claims 1-6 and 11 are amended.

Claims 7-10 and 12-25 are canceled.

Claims 26-35 are newly added.

Claims 1-6, 11, and 26-35 remain for examination.

Response to Arguments

2. Applicant's arguments filed 10/19/2007 have been fully considered but they are not persuasive.

Applicant argues that "Cook does not teach or reasonably suggest initiating communication with the first party to indicate that the second party's certificate has been revoked, wherein the communication includes notifying the first party that the second party's certificate has been revoked, wherein the notification is further sent to other

parties registering with the database as relying on the second party's certificate as recited by claim 1" (Page 7 of Remarks).

Examiner respectfully disagrees with applicant. Cook explicitly discloses initiating communication with the first party to indicate that the second party's certificate has been revoked (see col. 6, lines 55-62; certificate server second module is for notifying a user of the electronic certificate condition when its revoked), wherein the communication includes notifying the first party that the second party's certificate has been revoked (col. 9, lines 34-36, Once the change is detected, the module 208 notifies Bob 30 of the change, step 264), wherein the notification is further sent to other parties registering with the database as relying on the second party's certificate (col. 6, lines 59-65; The certificate user 30 may also comprise one or more of a plurality of users in a company who are notified when any electronic certificate 154 in the company's domain is revoked or changed.)

For at least the above reasons, it is believed that the rejection is maintained.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 26-31 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Art Unit: 2135

Claims 26-31 are directed to "a machine-readable medium" which is defined in the specification such as "The machine-readable medium may include, but is not limited to, floppy diskettes, optical disks, DVD-ROM disks, DVD-RAM disks, DVD-RW disks, DVD+RW disks, CD-R disks, CD-RW disks, CD-ROM disks, and magneto-optical disks, ROMs, RAMs, EPROMs, EEPROMs, magnet or optical cards, flash memory, or other type of media / machine-readable medium suitable for storing electronic instructions. Moreover, the present invention may also be downloaded as a computer program product, wherein the program may be transferred from a remote computer to a requesting computer by way of **data signals embodied in a carrier wave** or other propagation medium via a communication link (e.g., a modem or network connection)" (Page 11 of specification).

A claimed signal has no physical structure, does not itself perform any useful, concrete and tangible result and, thus, does not fit within the definition of a machine (See Interim Guidelines for Examination of Patent Applications).

Claim Objections

4. Claims 1, 11, and 26 are objected to because of the following informalities: "first part" in line 3 should be ----first **party**----. Appropriate correction is required.

Claim 30 is objected to because of the following informalities: The machine-readable medium of claim 26 in line 1 should be-- The machine-readable medium of claim **27**---. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-6, 11, and 26-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Cook et al. (U.S. Patent 6,922,776) hereinafter Cook.

With the respect to claims 1 and 16, Cook reference teaches registering a first party and a second party with a database at a server (see col. 10, lines 10-30; selection of contracts associated with users are stored in a database on the certificate server), wherein the first party is register as a party relying on a second party's certificate (Figure 2, col. 9, lines 5-15); Bob 30 submits the contract to the certificate server 100, step 256);

revoking the second party's certificate after registering the first party (see col. 6, lines 47-54; col. 7, lines 13-20; replacement of the entire electronic certificate with a new electronic certificate), wherein the revocation is performed according to a revocation policy (col. 6, lines 50-55; the change in the condition of the electronic certificate may be due to something internal in the electronic certificate 154 itself, such as an expiration date causing the electronic certificate 154 to expire); and

initiating communication with the first party to indicate that the second party's certificate has been revoked (see col. 6, lines 55-62; certificate server second module is for notifying a user of the electronic certificate condition when its revoked), wherein the communication includes notifying the first party that the second party's certificate has been revoked (col. 9, lines 34-36, Once the change is detected, the module 208 notifies Bob 30 of the change, step 264), wherein the notification is further sent to other parties registering with the database as relying on the second party's certificate (col. 6, lines 59-65; The certificate user 30 may also comprise one or more of a plurality of users in a company who are notified when any electronic certificate 154 in the company's domain is revoked or changed.)

With the respect to claim 11, Cook reference teaches a system comprising: a server having an integrated circuit coupled with a storage medium via a bus (see Figure 1, element 100, col. 6, lines 35-38), the server further having a registration database (see col. 10, lines 10-30; selection of contracts associated with users are stored in a database on the certificate server) to register a first party as a relying party for a second party's certificate (Figure 2, col. 9, lines 5-15); Bob 30 submits the contract to the certificate server 100, step 256);

a revocation module (see col. 6, lines 38-41; col. 7, lines 40-48) to revoke the second party's certificate after the first party is registered (see col. 6, lines 47-54; revocation/replacement of the entire electronic certificate with a new electronic certificate), wherein the revocation is performed according to a revocation policy (col. 6,

Art Unit: 2135

lines 50-55; the change in the condition of the electronic certificate may be due to something internal in the electronic certificate 154 itself, such as an expiration date causing the electronic certificate 154 to expire); and

an interface to facilitate communication of the server with a communication network (see col. 5, lines 19-28; a communication channel that comprise a network) to initiate communication to indicate to the first party that the second party's certificate has been revoked (see col. 6, lines 55-62; certificate server second module is for notifying a user of the electronic certificate condition when its revoked), wherein the communication includes notifying the first party that the second party's certificate has been revoked (col. 9, lines 34-36, Once the change is detected, the module 208 notifies Bob 30 of the change, step 264), wherein the notification is further sent to other parties registering with the database as relying on the second party's certificate (col. 6, lines 59-65; The certificate user 30 may also comprise one or more of a plurality of users in a company who are notified when any electronic certificate 154 in the company's domain is revoked or changed."

With the respect to claims 2, 27, and 32, Cook reference teaches wherein revoking the second party's certification further comprises: receiving a request to revoke the second party's certificate (see col. 7, lines 13-22; col. 7, lines 40-48; revocation of the electronic certificate); and revoking the second party's certificate in accordance with a revocation policy associated with the second party's certificate in response to the

Art Unit: 2135

request (see col. 7, lines 13-22; col. 7, lines 40-48; revocation of the electronic certificate).

With the respect to claims 3, 27, and 32, Cook reference teaches wherein initiating communication with the first party (see col. 6, lines 55-57; certificate server second module is for notifying a user) further comprises sending a revocation message to a machine (see col. 6, lines 44-47 "workstation, pc, fax machine, etc") that is associated with the first party (see col. 7, lines 1-8; col. 7, lines 40-48; notify by electronic mail the certificate user the certificate change of condition like revocation).

With the respect to claims 4 and 29, Cook reference teaches further comprising verifying authenticity of the revocation message (see col. 7, lines 1-8; col. 7, lines 40-48; col. 8 line 60-col.9 line 5; "executing various authentication procedures and modifying access control information to indicate the revocation of the second party's certificate (see col. 8, lines 1-5; "updating the electronic certificate with respect to the certificate user to the new version of the electronic certificate").

With the respect to claims 5, 30, and 34, Cook reference teaches wherein accepting the request to revoke the second party's certificate comprises accepting the request by authenticating a signature (see col. 8, lines 60-64; "The certificate server may sign, or authenticate Alice's electronic certificate") incorporated in the request with

Art Unit: 2135

one of a list of revoker certificates associated with the second party's certificate (see col. 7, lines 30-34; a certificate revocation list-CRL).

With the respect to claims 6, 31, and 35, Cook reference teaches wherein the server initiating communication with a first party (see col. 6, lines 55-57; certificate server second module is for notifying a user) further comprises the server sending an email message to an email address for the first party (see col. 7, lines 1-8; "electronic mail").

Contact Information

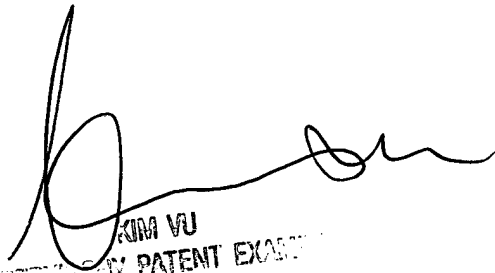
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baotran N. To whose telephone number is 571-272-8156. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2135

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BT
01/17/2008



KIM VU
ELECTRONIC PATENT EXAMINER
ELECTRONIC BUSINESS CENTER